IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

ORDER

S.B.CRIMINAL MISC. PETITION NO. 1488/2006

(Smt. Kavita Vs. Champa Devi & Ors.)

Date of Order :::: 20.11.2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. N.K. Bohra, for the petitioner
Mr. Ashok Upadhyaya, PP

BY THE COURT:

Heard learned counsel for the petitioner. Perused the order impugned dated 31.10.2006 passed by the Additional Collector (City), Jodhpur (for short 'the Executive Magistrate' hereinafter) on a proceeding under Sec. 122 Cr.P.C.

It is contended by the learned counsel for the petitioner that under Sec. 122 Cr.P.C. the procedure is provided that where any person after having executed a bond with or without sureties for keeping the peace in pursuance of the order of Executive Magistrate for a particular period, commits the offence then the

Magistrate after recording the grounds of such proof, order that the person be arrested and detained in prison until the expiry of the period of the bond. After issuing notice by the Executive Magistrate, the non-petitioner appeared on 13.11.2006 before the Executive Magistrate.

Since after order issuing notice, the non-petitioner appeared before the Executive Magistrate, in the circumstances therefore, the Executive Magistrate to decide the proceeding utmost expeditiously preferably within one month from the date of receipt of the copy of the order. The criminal misc. petition stands disposed of accordingly.

(H.R.PANWAR)J.

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